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**United States District Court
District of Oregon
Eugene Division**

Gregory S. Thorne

CASE NO. 6:15-cv-00628-MC

Plaintiff

v.

Atlanta Convention & Visitors Bureau

Defendant

I. PARTIES

Plaintiff Gregory S. Thorne
51209 Blue River Drive, Vida, OR, 97488
541-822-6000

Defendant Atlanta Convention & Visitors Bureau
233 Peachtree St. NE, Suite 1400, Atlanta, GA 30303
404-521-6600

II. JURISDICTION

This is a declaratory judgment action arising under the trademark laws of the United States and the Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1051 *et seq.* By this action, Plaintiff seeks a declaratory judgment that: its ownership of the domain name <www.AtlantaNow.com> does not violate any alleged rights owned by ACVB.

Subject matter jurisdiction over this action is conferred upon this Court: (i) pursuant to 28 U.S.C. § § 2201 and 2202, because it involves a request for declaratory judgment in a case of actual controversy; and (ii) pursuant to 28 U.S.C. § § 1331 and 1338, and 15 U.S.C. § § 1114 and 1125, because, *inter alia*, the suit concerns rights under the Lanham Act.

This Court has personal jurisdiction over Defendant, and venue is properly laid in the U.S. District court for the District of Oregon, pursuant to 28

U.S.C § 1391, in that, on information and belief, Defendant is doing and transacting business within this District.

III. STATEMENT OF CLAIMS

Plaintiff Greg Thorne ("Thorne") owns the domain name "AtlantaNow.com."

Defendant ("ACVB") claims rights to the trademark Atlanta Now.

ACVB filed a UDRP complaint. The UDRP panel ordered AtlantaNow.com transferred to ACVB.

AtlantaNow.com is a domain that currently directs to the web site AJC.com for news and information. Providing Atlanta news and information is the intended purpose of AtlantaNow.com. It is not for the purpose of attracting tourist and convention business and does not infringe on the business of ACVB.

"Atlanta Now" is a common type of expression to succinctly mean what's new now in Atlanta. In fact, "Atlanta Now," rather than "News" is currently the banner on AJC.com's home page for news. "Now" is the most common suffix for domain names.

IV. RELIEF

Plaintiff Greg Thorne seeks a declaratory judgment that his ownership and use of the domain AtlantaNow.com is not infringing ACVB's trademark rights.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15th day of April, 2015


